IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 21275 of 2004

Between:

Bovilla Yanadi Reddy, S/o. Gopal Reddy,
R/o. 12-116-1, Gandhinagar, Madakalavaripalli Village, Gopavaram

Mandal, Kadapa District.

..... PETITIONER

AND

1 The District Collector, Kadapa District, Kadapa.
2 The Revenue Divisional Officer, Rajampet, Kadapa District.
3 The Mandal Revenue Officer, Gopavaram Mandal, Gopavaram,
Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in demolishing the house of the petitioner bearing No.12/166-1, Gandhinagar, Madakala Varipalli Village and Gram Panchayat, Gopavaram Mandal, Kadapa District without issuing any notice, without passing any orders and even without intimation of the demolition, as illegal, unjust, arbitrary, discriminative, malafide, extraneous and against the statutory provisions and against the Article 14 and 300-A of the Constitution of India and consequently direct the respondents not to demolish the house of the petitioner bearing No.12/166-1, Gandhinagar, Madakalavaripalli Village and Gram Panchayat, Gopavaram Mandal, Kadapa District without

following due process of law.

Counsel for the Petitioner:MR.L.J.VEERA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

This writ petition is filed seeking a direction to the respondents not to demolish the house of the petitioner bearing No.12/166-1, Gandhinagar, Madakala varipalli village, Gopavaram Mandal, Kadapa District, without issuing any notice and passing any orders.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and having perused the material available on record, it is seen that this Court, by order dated 25.02.2003 passed in W.P.No.3324 of 2003, already directed the respondents not to evict the petitioner from the land in question or demolish the construction made by him therein, without following the procedure contemplated under law. In view of the same, if the petitioner got any grievance, he is not remediless He can seek redressal in accordance with the law. Moreover, it cannot be expected that the respondents, being the responsible Government officials, will disobey the orders of this Court and demolish the construction in the property in question. On that premise alone, another writ petition for the very same purpose, cannot be entertained.

The writ petition is accordingly dismissed.

19.11.2004

Note: issue CC in two days.

(BO)

ksld

To

1 The District Collector, Kadapa District, Kadapa.
2 The Revenue Divisional Officer, Rajampet, Kadapa District.
3 The Mandal Revenue Officer, Gopavaram Mandal, Gopavaram, Kadapa District.

4 Two CCs. to the G.P. for Revenue, High Court of A.P(OUT)

5 Two CD copies.